UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALPHONSO SYVILLE,
 	
                    Plaintiff,
 	
      -against-
 	
CITY OF NEW YORK; MAYOR BILL DE BLASIO; UNKNOWN, DIRECTOR OF DEPARTMENT OF HOMELESS SERVICES; STEVEN BANKS, COMMISSIONER OF DEPARTMENT OF SOCIAL SERVICES; OXIRIS BARBOT, NYC HEALTH COMMISSIONER,
 	
                    Defendants.
	20-CV-5495 (CM)
	
	ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff Alphonso Syville, appearing *pro se*, brings this action under 42 U.S.C. § 1983, raising claims regarding the conditions at the Help Meyer's MICA Shelter on Wards Island (Help Meyers) and the inadequate response to the threat of the COVID-19 virus. The Court dismisses the complaint for the following reasons.

Plaintiff has previously submitted to this Court a substantially similar complaint alleging the same claims. That case is presently pending before the Honorable Paul G. Gardephe of this Court under docket number 20-CV-4633. As this complaint raises the same claims, no useful purpose would be served by litigating this duplicate lawsuit. Therefore, this complaint is dismissed without prejudice to Plaintiff's pending case under docket number 20-CV-4633.[1]

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

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[1] If Plaintiff wishes to amend his complaint to add additional claims or additional defendants, he may request leave to file an amended complaint in that case. Plaintiff must be sure to label his submissions with docket number 20-CV-4633 (PGG).

Plaintiff's complaint is dismissed as duplicative.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: September 9, 2020
          New York, New York

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            COLLEEN McMAHON
       Chief United States District Judge

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